

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA**

STANLEY M. KACZMORSKI and  
CARMEN CUPELLI,

Civil Division

Plaintiffs,

No. 12-1694

v.

Judge McVerry

OFFICE OF CONTROLLER OF ALLEGHENY  
COUNTY, and CHELSA WAGNER,  
Controller, in her individual and official  
capacities,

Defendants.

JURY TRIAL DEMANDED

**MOTION TO AMEND CAPTION**

Plaintiff, Carmen Cupelli, files this Motion to Amend Caption, and in support state as follows:

1. This is an action under 42 U.S.C. § 1983 and the Age Discrimination in Employment Act (“ADEA”), 29 U.S.C. § 623(a)(1). Plaintiffs alleged Defendants, Office of Controller of Allegheny County and Chelsa Wagner, fired them because of their political affiliation and their age.

2. Plaintiff Kaczvorski has resolved his claims against Defendants, and the parties have stipulated to the dismissal of his claims. Thus, Plaintiff Cupelli remains the only Plaintiff in this action with unresolved claims against Defendants.

3. Cupelli therefore wishes to amend the caption to reflect that Kaczvorski is no longer a party to this matter.

WHEREFORE, Plaintiff respectfully requests that the Court grant this Motion to Amend Caption to reflect that Kaczvorski is no longer a Plaintiff.

Respectfully submitted,

**SAMUEL J. CORDES & ASSOCIATES**

/S/ Christine T. Elzer

Samuel J. Cordes

Christine T. Elzer

Pa. I.D. No. 54874 (Cordes)

Pa. I.D. No. 208157 (Elzer)

245 Fort Pitt Boulevard

Pittsburgh, PA 15222

(412) 281-7991

Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify on this 2<sup>nd</sup> day of January, 2014 I served a copy of the foregoing ***Motion to Amend Caption*** via electronic mail upon the following:

James P. McGraw, III  
Law Office of Ira Weiss  
445 Fort Pitt Boulevard, Suite 503  
Pittsburgh, PA 15219

/S/ Christine T. Elzer  
Christine T. Elzer